

Wrice, Monique

From: HSTestimony
Subject: FW: Senate bill 17

My name is Craig Sears I am a brain injury survivor receiving services from the ABI waiver; I am here today in regards to Governor Malloy's proposal to eliminate the legislative process and stop holding Public Hearings for changes to the ABI Waiver, as well as all other Waivers in CT. I can't begin to tell you how wrong this proposal is to the citizens of Connecticut - this proposal is nothing but in direct response to the legislators denial of the proposal to outsource the ABI Waiver at the Public Hearing in December! It is clear, that if this proposal was passed it would only be because governor Malloy doesn't want the citizens of Connecticut to know that they are being taken advantage of and being discriminated against

If the public hearings are taken away, where are we to go when there's a problem? In December at the last public hearing, I spoke on the fact that every change DSS has made to my ABI waiver has hurt me so much that I had to get the office of protection and advocacy for persons with disabilities involved in my last team meeting. Which makes it a perfect example of the type of errors that can occur if there are not multiple eyes looking at these issues. And yes, I was able to have my services reinstated because of the sections in DSS regulations I spoke about on December 17. (see below). Think about it, DSS went through the committees to allow them to modify the waiver to change prevocational and cognitive behavioral. The committees agreed! All ABI Waiver clients lost services with their doctors due to the CBP change.

For example, I had 8 hours at \$83.22 = \$665.76 But they increased the rate to \$105.00. As a result I could only see my doctor 6.34 times per month in a face-to-face format. That is a loss of 21% of the service I had prior to the change. Now I have won a victory and every client will have to have their CBP budget increased by 21%. That is a cost that should be reviewed by Appropriations.

The loss in services should have been properly vetted by Human Services.

What about clients who are right against the budget cap and have no room for this increase in cost to CBP. Does this place their waiver at-risk? Does it open up the State to Claims or a Class Action Lawsuit since a client who may be at his cap limit say \$139,700.00 for Level 1 but had four hours per month of CBP at \$332.99 now needs a monthly budget of \$420.00 and for 12 months which is an increase of \$1044.00 for the year and places the client over budget.

The admission by DSS that there is a service loss places the state in a vulnerable position and again, this change was done with the approval of Appropriations, Human Services, and DSS

I feel like this state is designed to take advantage of people with disabilities. A person with a traumatic brain injury would likely not have had the ability to advocate for themselves as I do. And without services they would not have anybody to advocate on their behalf.

It's bad enough I live and work a program 24/7, I have taken the advice to try and better myself and every time I have, the system has found a way to bring me down and leave me with no room to grow.

I understand the advice people have given me and I have used it and have worked it all into my life on more than one occasion. Every time I put the tools in my "tool-box" (or should I say brain), in an attempt to better myself, the system has found a way of pulling me back down. I have kept in this "box" where I'm very limited on what I can do. I believe that my rehabilitation has been curtailed as a result.

I can't help but to be concerned about what the state is going to do to me next, all because I have a Traumatic Brain Injury. It's bad enough the state took and wasted 5 years of my life by putting me in prison, all because I am disabled and they did not want to help me. How can you keep putting your trust into a system that would rather lock you up and throw away the key then help the people who actually need it?

I am asking this committee and all legislators not to pass this ridiculous proposal for the good of the community.

Governor Malloy and Commissioner Bremby I am ashamed of what you did, and continue to do to brain injury survivors, veterans and disabled children and adults in this state.

Craig Sears Brain Injury Survivor - A Voice for Traumatic Brain Injury

DSS regulations

Sec. 17b-260a-1I, Individuals who are eligible for ABI services shall be given free choice of all qualified providers of each service included in his or her plan of care.

Sec. 17b-260a-1J7 states that it is the responsibility of the Department to pay for approved ABI waiver services delivered by qualified providers through its fiduciary agent on behalf of the individual.

Sec. 17b-260a-1J2c Responsibilities of the Department, The Department shall assign social work staff to execute the following ABI responsibilities: implement the approved service plan and coordinate services provided to the individual under the waiver.

Sec. 17b-260a-1G4 The service plan shall be developed by an interdisciplinary team that includes the individual, his or her conservator, if any, the Department social worker assigned to coordinate the individual's service plan, a neurophysiologist who is familiar with the individual, other clinical staff as needed, and any other person(s) of the individual's choice.